

Filed by the Board of Professional  
Engineers and Land Surveyors on  
Date 1/18/08

STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
STATE BOARD OF PROFESSIONAL ENGINEERS  
AND LAND SURVEYORS

IN THE MATTER OF THE LICENSE OF	:	Administrative Action
JOHN HOOYMAN, JR., P.L.S.	:	
License No. 24GS13921	:	
TO PRACTICE LAND SURVEYING	:	FINAL ORDER
IN THE STATE OF NEW JERSEY	:	OF DISCIPLINE
	:	

This matter was opened to the New Jersey State Board of Professional Engineers and Land Surveyors upon receipt of information which the Board has reviewed and on which the following findings of fact and conclusions of law are made;

FINDINGS OF FACT

1. Respondent, John Hooyman, Jr., P.L.S., is the holder of License No. 24GS13921 and was licensed to practice land surveying in the State of New Jersey from January 1, 1965 through May 2, 2006, at which time Respondent placed his license in a retired status by letter dated April 10, 2006.

2. On or about June 27, 2007, the Board forwarded a letter by certified and regular mail to the Respondent requesting that he appear for an investigative inquiry on July 10, 2007 pursuant to

N.J.S.A. 45:1-18 et seq. in connection with complaint #s 04-65, 04-66, 04-67, 04-68, 05-17, 06-03, 06-04, 06-05 and 06-12. However, Respondent failed to appear and an unidentified person called the Board Office and left a message on the day of the inquiry that Mr. Hooyman was not in the area and would not be appearing before the Board.

3. Thereafter, the Board sent a second letter dated July 18, 2007 by certified and regular mail to Respondent requesting that he appear for an investigative inquiry on August 9, 2007. The green receipt card was signed by Respondent and returned to the Board Office. However, the Respondent failed to appear for the investigative inquiry.

#### CONCLUSIONS OF LAW

The Respondent's failure to respond and appear for an inquiry in furtherance of an investigation provides grounds to take disciplinary action against his license to practice land surveying in the State of New Jersey pursuant to N.J.S.A. 45:1-21(e) and N.J.A.C. 13:45C-1.3(a)(3) in that Respondent has a duty to cooperate and failed to do so and, further, that Respondent's failure to cooperate constitutes professional misconduct.

#### DISCUSSION ON FINALIZATION

Based on the foregoing findings and conclusions, a Provisional Order of Discipline ("POD") was entered by this Board on September 19, 2007 and served by regular and certified mail upon

Respondent. The POD was subject to finalization by the Board at 5:00 p.m. on the 30th business day following entry unless Respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting Respondent's request for consideration and reasons therefor.

The Respondent has failed to respond to the POD. Therefore, the Board has determined that further proceedings are unnecessary and that there is a sufficient basis to take disciplinary action against Respondent's license.

ACCORDINGLY, IT IS on this 1/13/08 day of 1/13/08, 2008  
ORDERED that:

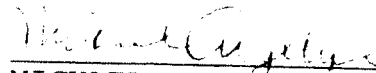
1. Respondent's license to practice land surveying in the State of New Jersey shall be, and hereby is, suspended until such time as Respondent complies with the Board's request to appear for an investigative inquiry. Any practice in this State prior to being reinstated shall constitute grounds for a charge of unlicensed practice.

2. Respondent shall pay a civil penalty in the amount of \$5,000.00 (Five Thousand Dollars and 00/100) within thirty (30) days of the entry of this Final Order of Discipline. If Respondent

fails to pay the civil penalty within the stated time period, then  
a Certificate of Debt shall be issued.

NEW JERSEY STATE BOARD OF PROFESSIONAL  
ENGINEERS AND LAND SURVEYORS

By:



MICHAEL ANGELINE  
Board President